

FLATHEAD COUNTY PLANNING TASK FORCE
Thursday, November 10, 2005
Earl Bennett Building
4:00 p.m. – 6:00 p.m.

<u>Members Present</u>	<u>Members Absent</u>	<u>Others</u>
Gary Hall	Mike Meehan	Kim Fleming
Dennis Hester	Joe Russell	Bill Baum
Jed Fisher	Charles Lapp	Mayre Flowers
Charlie Johnson	Pam Kennedy	Kathy Robertson
Jeff Harris	Jim Patrick	Robin Steinkrans
Mike Pence	Velvet Phillips-Sullivan	Roger Sullivan
Marsha Sheffels	Bob Horne	
Tom Jentz	Jane Leivo	
Cris Coughlin		
Bill Shaw		
Kerry Finley		
Turner Askew		
Jerry Nix		
Richard Surynt		
Diana Blend		
Karen Reeves		
Myrt Webb		

Nix called the meeting to order and introduced Jack Stanford, Professor of Ecology and Director of the Flathead Lake Biological Station.

Gary Hall asked permission to interrupt Stanford's presentation in order to address Nix's announcement that he would be resigning from the Task Force after this meeting. Hall presented Nix with a Certificate of Appreciation on behalf of the County Commissioners and thanked him for his service to the Task Force.

Presentation by Jack Stanford – Flathead Lake Biological Station

Stanford reported that the people around Flathead Lake have always done what they can to keep it clean and they need to continue to do this. Most of the water coming into the lake is coming from the mountains. The rivers and streams go through a natural cleansing process through the runoff.

Stanford reported on the mean annual pelagic primary productivity of Flathead Lake and the need for nutrients in the lake required to sustain plants and animals. He also reported on the surface and bottom nitrate and nitrate concentrations for the years 1989 through 2004.

Stanford discussed in detail other affects on water quality, to include logging roads, mining, gravel pits, temperature, and development. He reported that the area between the Whitefish River and the Flathead River is a primary natural filter. The integrity of this aquifer must be maintained and the county must minimize impacts such as development and mining. Taking away the gravel destroys the natural filter. Other concerns are global warming and pollutants from lifestyles.

Asked if there were heavy metals in the lake, Stanford responded that there are trace quantities of zinc. In answer to the question as to the affect from surface chemicals such as fertilizers, Stanford stated that most farming operations want the fertilizers to stay on top of the ground and not go into the ground water level. Livestock operations cause concern due to drainage into the surface water. Other concerns are development close to the lake and landscaping at the water's edge.

Stanford stated that it is difficult to determine what is a reasonable level of development. It is important that the aquifer be monitored so as not to deteriorate the water supply; however, the negative impact might not be realized until it is too late. The aquifer must be recognized as a critical landscape during the review process but impact to neighboring landowners must also be considered. Maintaining a river corridor will vastly increase the value of the land. Stanford was unable to offer any advice as to density standards but did confirm that the critical lands map could be used as a tool in this regard.

Stanford added that they are collecting information from wells and monitoring devices. There are 300 to 400 wells being used to determine flow paths. There are 30+ monitoring wells but he would like to see that increased to 100 or more. The cost is about \$50,000 to install the well and \$25,000 to monitor.

Agenda Approval

Webb made a motion to approve the agenda as amended. Hester seconded the motion. All in favor.

Minutes Approval

Coughlin made a motion to approve the October minutes, with the revisions she requested. Blend seconded the motion. All in favor.

OLD BUSINESS

Reeves stated that she has prepared a letter directed to the County Commissioners regarding impact fees. The letter is asking the Commissioners to move forward to get the impact fees approved and adopted. Reeves asked

that the letter be passed around the table and that the Task Force members sign the letter if they agree with this request.

Reeves added that she has a second letter directed to the County Commissioners asking that they place a moratorium on Master Plan amendments until the growth policy is in place and impact fees are in place.

Reeves stressed her frustration with the county approving high density subdivisions without pursuing impact fees. Harris stated that there is no moratorium in place at this time on Master Plan amendments, but his office does have criteria and guidance to follow. He added that his office is processing three major subdivisions right now.

Fisher stated that he doesn't agree that impact fees will work as a stand-alone effort, that they need to be more inclusive with RSIDs, etc. The county needs to be more diverse in their approach rather than focusing on just one segment.

Nix stated that the Transportation Committee acknowledges that impact fees won't fix any portion of the status quo and they need to address the existing problems. The county is currently requesting waivers of protest to SIDs as a condition of subdivision approval. SIDs would be paid by all taxpayers who benefit from the improvements to the roads serving these subdivisions. Impact fees will only be placed on new development.

Johnson reported that he has discussed these issues with representatives from Lewis & Clark County. He was told that other counties in Eastern Montana are starting to face these same problems. Flathead County needs to bring some people in from other states and the MDOT to talk about road maintenance districts. Johnson would rather form these road maintenance districts that cover large areas rather than pursue site-specific RSIDs. But they need a combination of road maintenance districts and impact fees to address the problems they are currently having.

Pence noted that the county is currently requiring waivers of protest with subdivision approval. Johnson stated that he would also like to see the developer required to create road improvement districts as a part of subdivision approval. Webb stated that the road improvement district should not be put on the shoulders of the entire county. Those who benefit from the roads should be the ones to pay.

Pence stated that the county doesn't have anything specific in place about the implementation of impact fees. The growth policy is the first step. They do have money available for capital improvement planning, such as roads. The county wants to be ready once the growth policy is in place, to put together the framework to allow impact fees if the county commissioners decide to proceed in that direction. A comprehensive study has not been done at this time.

Grieve advised everybody that there is an extensive collection of data required for impact fees. There are a great number of subdivision lots being proposed which could create a considerable amount of money for roads. But the study needs to be done. If the county proceeds with impact fees, they need to be sure that this requirement can be defensible in court. Pence added that until the Commissioners direct them to proceed with impact fees, nothing will be done. Reeves again asked that all members to sign her letters.

Pence reported that the County Commissioners are working on the elements of the capital improvement program. This is one piece that is necessary to build the framework for impact fees. A consultant will be required to do the study, but the growth policy needs to be done first. Once all of the information is obtained and put together for the CIP, the county will bring in a consultant to put together the impact fee schedule. Pence stressed that these fees will go to court and must be legally defensible.

Harris stated that it has been the understanding that the base line information for the growth policy should be able to be used for the formation of impact fees. He stressed that this is not the case. Impact fees can only be charged to the current level of service, not to the desired level of service. What needs to be done is determining the current level of service.

Shaw noted that there are some areas that haven't earned that much money in impact fees. It will cost a lot of money to do the study and they need to earn enough money to pay for this, which could take time. He stressed that they can't charge for a level of service that isn't there. And they can't rely solely on impact fees, as this isn't enough to address the problems.

Johnson agreed, pointing out that even if the roads are improved, it will be difficult to find the funds to maintain those roads. He would welcome impact fees, but they need to look at the formation of road improvement districts, as well.

It was asked why there is no moratorium in Flathead County considering the number of lots currently being proposed. Pence stated that the county did attempt a moratorium a few months ago, but it was not accepted by the public.

NEW BUSINESS

Review of Mission Statement and Principals and Values Objectives

Nix asked if there should be any changes made to the Mission Statement. Coughlin stated that she would like to see funding added, as they need to find funding in order to accomplish any of the goals.

Webb noted that money can always be found if the priority is established. The County Commissioners will do what they need to do if the citizens believe it is a priority. Impact fees are important, but the Commissioners haven't put it high on their priority list.

No other comment was made as to the principals and values objectives.

Review of Accomplishments of the Task Force and Committees

Nix asked all committees to provide a brief report on their efforts to date.

Finley reported that the **Sewer & Water Committee** has been working with Jeff Harris and providing him necessary information for the growth policy. They are currently cataloging current conditions, but haven't done much projecting long-range goals.

Reeves reported that the **Parks & Natural Resources Committee** has added their membership to include Mike Baker from Kalispell Parks, the Flathead Lakers and Montana Fish, Wildlife and Parks. They are trying to blend the critical areas that everybody agrees needs to be looked at. The Committee is also working with State Lands and the Whitefish Trail Committee to find out how they can work together on the biking and hiking trails, as well as look at connectivity of these trails.

Coughlin reported that the **Bike Committee** is looking at the bike paths as well as alternative transportation options. This committee needs members. They have put together maps and are looking at river corridors. Jentz offered to assist with this committee.

Blend reported on the **Housing Committee**, stating that they have reviewed the Housing Issue Paper and would like to provide comment. The Committee disagrees with the paper and statement that the Flathead is not experiencing affordable housing problems. The committee will be submitting information to the Planning Office as to why they believe there is an affordable housing problem in the valley. The Committee believes the median income level to afford affordable housing is not accurate; it is a fact that Section 8 has a waiting list; there is an increase in demand for rental housing, which is an indication of the need for affordable housing; inadequate and substandard housing has not been addressed in the issue paper; and there is always the possibility that rural home loan programs could go away in the future.

Nix stated that they need to make sure these statements about these problems are included in the issues papers so the county can qualify for funding in the future. If these problems are identified, they need to be reiterated in the growth papers.

Grieve stated that the issue papers are designed to bring forth comments, which was just received by the Housing Committee. He noted that there is a difference between housing and affordable home ownership. Housing means a roof over a person's head, whether that person rents or owns. The papers identify that affordable housing ownership is not there.

Blend also reported on the **Education and Outreach Committee**. They are letting the public know what the Task Force and committees are doing and are soliciting public comment. While they have developed the website for information and notices, she isn't always getting the necessary information from the committees as to dates and agendas. She needs this information at least 48 hours prior to it being posted on the website.

Blend added that she is looking for members to write editorials for the newspaper as to why they are serving on the task force. She would also like members to volunteer to make presentations to other groups and service organizations.

Nix reported that the **Transportation Committee** is still working on the mapping route around the valley and most of the discussions have centered on the need for funding.

Harris stated that the Planning Office has a small amount of funding to be used for a transportation consultant. They will be looking at road standards in order to put together a road classification system; they will validate current classifications, and plan to propose corridors where there are no roads currently. The RFP for this consultant is not prepared yet but they plan to bring something before the County Commissioners for approval.

Preparation of Resource Analysis Document

Nix stated that there had been discussion whether or not the task force members are the ones to put together the resource analysis document. A person has been hired to prepare the resource document for the three cities. Nix stated that the task force will not be able to produce the document, but they will assist the Planning Board and the consultant with the preparation of the document.

Goals and Objectives of the Task Force for the next 90 days

Blend stated that they need a process by which the task force can voice their recommendations, whether these recommendations are for the County Commissioners or the Planning Board. Jentz agreed that the committees are coming up with information, issues, and recommendations; however, where does this information go.

Harris stated that the Growth Policy will be the plan for the county. Everybody involved needs to work together without duplicating efforts. He wants to receive the information in time so it can be included in the Growth Policy. If the information comes in too late, it can't be used. However, the Growth Policy will be reviewed every five years, and any information coming in during those five years will be used in that review process.

Coughlin pointed out that when the Task Force started, they were charged with the duty of coming up with a plan that looked 20 years ahead. That has now changed and the Task Force is assisting with the Growth Policy. She feels like the Task Force is spinning their wheels and not being truly effective.

Nix stated that the directive came from the County Commissioners that the Task Force work with the resource document and growth policy. After this has been completed, the Task Force will begin to address the issues papers.

Harris reported that he has put together a list of things that the Planning Office would like from the Task Force and committees. This information needs to get distributed and the Planning Office needs to know what the Task Force and committees can do for them. Harris added that while they have received some information from the committees, they have a specific list of needs. They will have to prioritize the issues so they can focus on the important ones. They don't have the time to address all of them.

Blend agreed that this list now tells the committees what they can do to assist in the process. However, they still need a vehicle to be heard. The Task Force needs to be told the person or place to go with their information. Askew and Coughlin both agreed that this list now gives the Task Force some direction and focus.

Jentz stressed that the Task Force should get these tasks done as soon as possible. The Task Force then needs to be told what they should be doing after that. They need to look at long range planning, looking at 25 years from now. Pence added that the County Commissioners also need direction as to how they can effectively assist in the process. He would like to see a "to do" list like the one given to the Task Force.

Fisher agreed that the "to do" list is something that was needed. He pointed out that the Planning Office has also gone through some changes. All they can do is what the Planning Office is asking from them and that is to provide the necessary information.

Finely stressed her concern with the number of people who don't have a clear understanding as to their roles in the planning process. She doesn't want this to end up being just an interesting experience. The Task Force needs their

input to be heard and she agrees that funding needs to be addressed in the goals. Johnson agreed.

Harris stated that they have put together a calendar of meeting times, dates and locations. He is looking for volunteers to assist in conducting these meetings.

Election of New Chairman

Shaw nominated Diana Blend as the new Chairman of the Flathead County Planning Task Force. Jentz seconded the nomination. All in favor.

The meeting was adjourned at 6:30 p.m.